

**From:** Tzhone, Stephen  
**To:** ["Mescher, Jean A"; Fleer, James](#)  
**Subject:** FW: Arkwood surface water ARARs for ditch work  
**Date:** Friday, May 15, 2015 3:02:00 PM

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**From:** Tzhone, Stephen  
**Sent:** Friday, May 15, 2015 3:00 PM  
**To:** 'Kilburn, Dianna'  
**Cc:** rich@adeq.state.ar.us; hynum@adeq.state.ar.us; Clem, Sarah; Shafii, Mo; Carpenter, Ellen; Moix, Mark; Martinez, Maria; Boyd, Wanda; Sanchez, Carlos; Meyer, John; Rauscher, Jon; Huling, Scott  
**Subject:** RE: Arkwood surface water ARARs for ditch work

Thanks Dianna on the ARARs information.

It is correct that McKesson would not need to actually get a permit, but would need to meet the intent of the permit.

I've contacted our Water Division here to assist, if needed. Wanda Boyd (214.665.6696, [boyd.wanda@epa.gov](mailto:boyd.wanda@epa.gov)) is the EPA point of contact for 404 Permits in Arkansas.

I'll share this information with McKesson as well.

Thanks,

Stephen L. Tzhone  
Superfund Remedial Project Manager  
214.665.8409  
[tzhone.stephen@epa.gov](mailto:tzhone.stephen@epa.gov)

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**From:** Kilburn, Dianna [<mailto:KILBURN@adeq.state.ar.us>]  
**Sent:** Friday, May 15, 2015 2:27 PM  
**To:** Tzhone, Stephen  
**Cc:** [rich@adeq.state.ar.us](mailto:rich@adeq.state.ar.us); [hynum@adeq.state.ar.us](mailto:hynum@adeq.state.ar.us); Clem, Sarah; Shafii, Mo; Carpenter, Ellen  
**Subject:** Arkwood surface water ARARs for ditch work  
**Importance:** High

Dear Mr. Tzhone:

McKesson is proposing to cover the ditch from the discharge point at the fence around the off-site treatment area until the ditch joins the culvert leading under the road, thus eliminating this exposure point. The ditch acts as the primary pathway for water from New Cricket Spring to Cricket Creek and is therefore "waters of the State". In discussing the proposal with Sarah Clem in the Water Division, , she mentioned they might need a 404 permit from the US Army Corp of Engineers. They would also need a short term activity authorization (STAA) (APC&EC Reg. 2 at 2.305) from



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ADEQ. She mentioned that the COE has a nationwide permit and an individual permit. McKesson would need to check with them to see which was applicable. As I understand it, as a Superfund site, McKesson would not need to actually get a permit, but would need to meet the intent of the permit. As this work is planned for June, I wanted to make you aware of the ARARs.

Sarah plans to be in the meeting and site visit next week and can bring any information you need on the STAA. Please share with McKesson with any additional information you may already have. You may call Sarah at 501-682-0660 or [clem@adeq.state.ar.us](mailto:clem@adeq.state.ar.us).

Sincerely,  
Dianna Kilburn